

IN RE: PETITION FOR VARIANCE  
N/S Bird River Road, 530' E of the c/l  
of Lannerton Road  
(9750 Bird River Road)  
15<sup>th</sup> Election District  
5<sup>th</sup> Councilmanic District

Kathy Stumpf Farace  
Petitioner

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 99-323-A

\*

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Variance filed by the owner of the subject property, Kathy Stumpf Farace. The Petitioner seeks relief from Sections 409.6.2 and 229.6.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit eight (8) parking spaces in lieu of the required 16 and to permit a side setback of 15 feet in lieu of the required 20 feet for an existing building. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the request were Kathy Stumpf Farace, property owner, and Harold Dorsey, a representative of Dorsey Builders, Contractor. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property consists of a gross area of .5 acres, more or less, zoned C.B., and is presently improved with a frame storage building of 1,842 sq.ft., and a detached garage. Ms. Farace has owned the subject property for the past 12 years and has operated a florist shop therein, known as Somethin' Special, which specializes in selling flowers and decorations. The Petitioner seeks relief as noted above to construct a 30' x 40' addition to the existing building to provide additional areas for storage and display. Due to the location of the existing building close to the side property line, the requested variance to setback requirements is necessary. Although part of the existing building will be

ORDER RECEIVED FOR FILING

Date

By

razed to make room for the proposed improvements, the addition will not impact the existing setback. It is also to be noted that members of Ms. Farace's family own the adjacent property which will be most impacted by the deficient setback. Thus, I am persuaded that relief can be granted and that the Petitioner has satisfied the requirements of Section 307 of the B.C.Z.R. In addition, the increase in the overall size of the building requires a total of 16 parking spaces; however, only 8 spaces can be provided on the site. In this regard, Ms. Farace testified that approximately 90% of her business is by telephone and the remaining 10% is of walk-in variety. She indicated that the 8 parking spaces currently provided are more than sufficient in view of the nature of the operation of the business. Typically, customers call in their orders which are then delivered by vehicles owned by the Petitioner. There is no need for a large area of parking in view of this arrangement. Thus, I am persuaded that variance relief should be granted.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

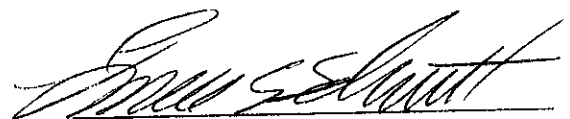
After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the subject property

and that strict compliance with the zoning regulations will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 16<sup>th</sup> day of April, 1999 that the Petition for Variance seeking relief from Sections 409.6.2 and 229.6.C.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit eight (8) parking spaces in lieu of the required 16 and to permit a side setback of 15 feet in lieu of the required 20 feet for an existing building, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.



LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:bjs

ORDER REVIEWED FOR FILING  
Date 4/16/99  
By [Signature]



Baltimore County  
Zoning Commissioner

Suite 405, County Courts Bldg.  
401 Bosley Avenue  
Towson, Maryland 21204  
410-887-4386  
Fax: 410-887-3468

April 15, 1999

Ms. Kathy Stumpf Farace  
703 Pheasant Drive  
Forest Hill, Maryland 21050

RE: PETITION FOR VARIANCE  
N/S Bird River Road, 530' E of the c/l of Lannerton Road  
(9750 Bird River Road)  
15th Election District – 5th Councilmanic District  
Kathy Stumpf Farace - Petitioner  
Case No. 99-323-A

Dear Ms. Farace:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:bjs

cc: Mr. Harold Dorsey, Dorsey Builders  
3707-A North Point Road, Baltimore, Md. 21222

People's Counsel; Case File

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# Petition for Variance

## to the Zoning Commissioner of Baltimore County

for the property located at 9750 Bird River Road, Baltimore, MD 21220

which is presently zoned CB

This Petition shall be filed with the Department of Permits & Development Management

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 409.6.2 & 229.6.C.1, BCZ2

TO PERMIT 8 PARKING SPACES IN LIEU OF THE REQUIRED 16 SPACES  
AND TO PERMIT AN EXISTING 15ft. SETBACK IN LIEU OF THE  
REQUIRED 20ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

To be presented at time of hearing.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

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Revised 9/5/95

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Legal Owner(s)

Kathy Stumpf Farace

(Type or Print Name)

Signature

(Type or Print Name)

Signature

9750 Bird River Road (410) 687-2211

Address

Phone No.

Baltimore

MD

21220

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

Same

Name

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE 2-18-99

323

99-323-A

ORDER RECEIVED FOR FILING

Date

By

3

Zoning Description for  
9750 Bird River Road  
Baltimore, Maryland 21220

Beginning at a point on the north side of Bird River Road, which is 40 feet wide, 530 feet east of the centerline of Lannerton Road, which is 50 feet wide.

Thence the following courses and distances: N 08 deg 12 min W 142.20 feet, N 48 deg 03 min 162.17 feet, S 08 deg 12 min E 239.06 feet, binding on Bird River Road, N 82 deg 18 min E 135.0 feet to the place of beginning.

As recorded in Deed Liber 8090, Folio 27. Containing 21,780 square feet, and located in the 15th election district.

323

gdm



44-323-A

SEA

BALTIMORE COUNTY, MARYLAND  
OFFICE OF BUDGET & FINANCE  
MISCELLANEOUS RECEIPT

323  
No. 062294

DATE 2.15.99 ACCOUNT 601-6100

AMOUNT \$ 250.00

RECEIVED K. FRAZEE 9750 6100  
FROM: River Rd.

FOR: (020) U.A.

DISTRIBUTION  
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Jan

CASHIER'S VALIDATION

09-323-A

PAID RECEIPT  
PROCESS VOID  
2/25/99 9:28:49 AM  
BALTIMORE COUNTY, MARYLAND  
OFFICE OF BUDGET & FINANCE  
MISCELLANEOUS RECEIPT  
250.00 D.E.S.  
09/7/99

**NOTICE OF ZONING  
HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #39-323-A  
9750 Bird River Road  
N/S Bird River Road, 530' E of  
centerline Lanterton Road  
15th Election District  
5th Councilmanic District  
Legal Owner(s): Kathy Stumpf  
Parade

Variance: to permit 8 parking spaces in lieu of the required 16 spaces and to permit an existing 15-foot setback in lieu of the required 20 feet.

Hearing: Friday, April 2, 1999 at 2:00 p.m. in Room 106, County Office Building, 111 West Chesapeake Ave. m.

LAWRENCE E. SCHMIDT  
Zoning Commissioner for Baltimore County  
NOTES: (1) Hearings are Handicapped Accessible; for special accommodations please contact the Zoning Commissioner's Office at (410) 887-4366.

(2) For information concerning the file and/or hearing, contact the Zoning Review Office at (410) 887-3391.

3/27/99 Mar 18 'C237887

**CERTIFICATE OF PUBLICATION**

\_\_\_\_\_  
TOWSON, MD., 3/18/1999

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 3/18/1999.

THE JEFFERSONIAN.

*S. Wilkins*

LEGAL ADVERTISING



**CERTIFICATE OF POSTING**

RE: CASE # 99-323-A

PETITIONER/DEVELOPER:

[Kathy Stumpf Farace]

DATE OF Hearing

(APR. 2, 1999)

Baltimore County Department of  
Permits and Development Management  
County Office Building, Room 111  
111 West Chesapeake Ave.  
Towson, Maryland 21204

ATTENTION : MS. GWENDOLYN STEPHENS

LADIES AND GENTLEMEN:

This letter is to certify under the penalties of perjury that the necessary  
sign(s) required by law were posted conspicuously on the property located at  
9750 Bird River Road Baltimore, Maryland 21220\_\_\_\_\_

3-17-99

[Month, Day, Year]

Sincerely,

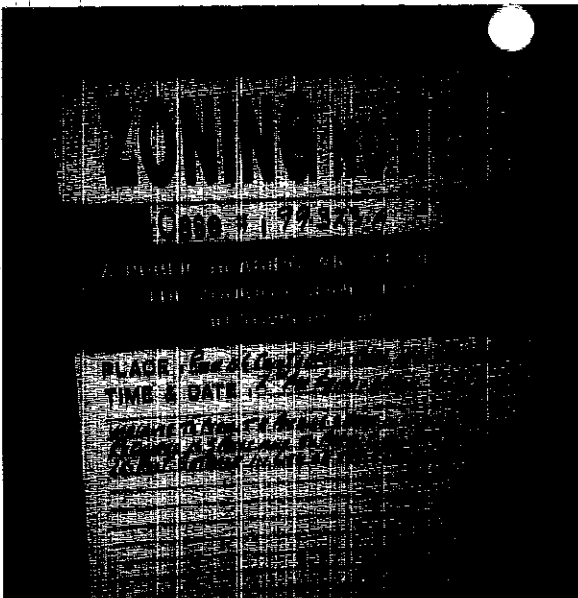
  
[Signature of Sign Poster & Date]

\_\_\_\_ Thomas P. Ogle, Sr. \_\_\_\_

\_\_\_\_ 325 Nicholson Road \_\_\_\_

\_\_\_\_ Baltimore, Maryland 21221 \_\_\_\_

\_\_\_\_ (410)-687-8405 \_\_\_\_  
[Telephone Number]



## ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

**OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.**

99-323-A

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than \_\_\_\_\_

Format for Sign Printing, Black Letters on White Background:

## ZONING NOTICE

Case No.: 99-323 A

A PUBLIC HEARING WILL BE HELD BY  
THE ZONING COMMISSIONER  
IN TOWSON, MD

PLACE: \_\_\_\_\_

DATE AND TIME: \_\_\_\_\_

REQUEST: A VARIANCE TO PERMIT 8 PARKING SPACES  
IN LIEU OF THE ~~REQUIRED~~ REQUIRED 16 SPACES AND  
TO PERMIT AN ~~EXISTING~~ EXISTING 15ft. SETBACK IN  
LIEU OF THE REQUIRED 20ft.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.  
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

TO: PATUXENT PUBLISHING COMPANY  
March 18, 1999 Issue – Jeffersonian

Please forward billing to:

Kathy Farace 410-687-2211  
9750 Bird River Road  
Baltimore, MD 21220

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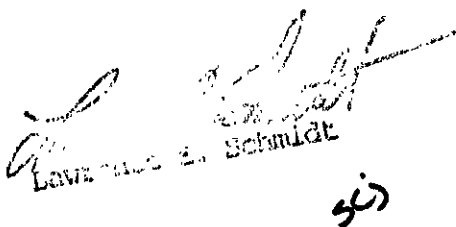
## NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-323-A  
9750 Bird River Road  
N/S Bird River Road, 530' E of centerline Lannerton Road  
15<sup>th</sup> Election District – 5<sup>th</sup> Councilmanic District  
Legal Owner: Kathy Stumpf Farace

Variance to permit 8 parking spaces in lieu of the required 16 spaces and to permit an existing 15-foot setback in lieu of the required 20 feet.

HEARING: Friday, April 2, 1999 at 2:00 p.m. in Room 106, County Office Building,  
111 West Chesapeake Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
pdmlandacq@co.ba.md.us

March 2, 1999

## NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-323-A  
9750 Bird River Road  
N/S Bird River Road, 530' E of centerline Lannerton Road  
15<sup>th</sup> Election District – 5<sup>th</sup> Councilmanic District  
Legal Owner: Kathy Stumpf Farace

Variance to permit 8 parking spaces in lieu of the required 16 spaces and to permit an existing 15-foot setback in lieu of the required 20 feet.

HEARING: Friday, April 2, 1999 at 2:00 p.m. in Room 106, County Office Building,  
111 West Chesapeake Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon  
Director

c: Kathy S. Farace

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MARCH 18, 1999.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

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Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

March 25, 1999

Ms. Kathy Stumpf Farace  
9750 Bird River Road  
Baltimore, MD 21220

RE: Case No.: 99-323-A  
Petitioner: Kathy Farace  
Location: 9750 Bird River Road

Dear Ms. Farace:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on February 18, 1999.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in black ink, reading 'W. Carl Richards, Jr.' followed by a stylized flourish.

W. Carl Richards, Jr.  
Zoning Supervisor  
Zoning Review

WCR:ggs

Enclosures



INTEROFFICE CORRESPONDENCE

Date: March 19, 1999

SUBJECT: Zoning Advisory Committee Meeting  
for March 1, 1999  
Item No. 323

A commercial entrance to the parking area shall be built per the Department of Public Works' Std. Road & Street Detail Plate R-32A.

cc: File

ZONE0301.323



**Baltimore County  
Fire Department**

700 East Joppa Road  
Towson, Maryland 21286-5500  
410-887-4500

March 11, 1999

Arnold Jablon, Director  
Zoning Administration and Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: G.D. & R., LTD. - 324  
KATHY STUMPF FARACE - 323  
CRAIG FETTER'S AUTO & TRUCK CENTER, INC. - 322  
KINGSVILLE PLAZA LIMITED PARTNERSHIP - 320  
RODICK REALTY PARTNERSHIP 1 - 318

Location: DISTRIBUTION MEETING OF FEBRUARY 29, 1999

Item No.: 324, 323, 322, 320, 318 Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1994 edition prior to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)





BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Permits and Development Management

DATE: -----

FROM: R. Bruce Seeley, Project Manager  
Development Coordination  
DEPRM

SUBJECT: Zoning Advisory Committee

Distribution Meeting Date: 3/1/77

The Department of Environmental Protection and Resource Management has  
**no comments** for the following Zoning Advisory Committee Items:

Item #'s: 315

319

320

322

323

324



**Maryland Department of Transportation**  
**State Highway Administration**

Parris N. Glendening  
Governor  
John D. Porcari  
Secretary  
Parker F. Williams  
Administrator

Date: 2.26.99

Ms. Gwen Stephens  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County  
Item No. 323

JCM

Dear Ms Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

to Michael M. Lenhart, Acting Chief  
Engineering Access Permits Division

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

AP  
4/2

**BALTIMORE COUNTY, MARYLAND**

**INTER-OFFICE CORRESPONDENCE**

**TO:** Arnold Jablon, Director  
Department of Permits and  
Development Management

**DATE:** March 3, 1999

**FROM:** Arnold F. 'Pat' Keller, III, Director  
Office of Planning

**SUBJECT:** 9750 Bird River Road

**INFORMATION:**

**Item Number:** 323

**Petitioner:** Kathy Stumpf Farace

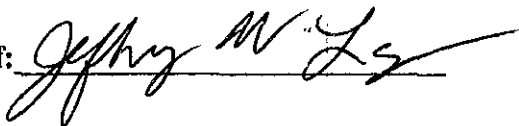
**Zoning:** CB

**Requested Action:** Variance

**SUMMARY OF RECOMMENDATIONS:**

The Office of Planning supports the request to allow 8 parking spaces in lieu of the required 16 spaces and to permit an existing setback of 15 feet in lieu of the required 20 feet.

**Section Chief:**



AFK/JL:

RE: PETITION FOR VARIANCE  
9750 Bird River Road, N/S of Bird River Rd,  
530' E of c/l Lannerton Rd, 15th Election District,  
5th Councilmanic

Legal Owners: Kathy Stumpf Farace

Petitioner(s)

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* FOR  
\* BALTIMORE COUNTY  
\* Case Number: 99-323-A

\* \* \* \* \*

### ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates of other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman  
PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

Carole S. Demilio  
CAROLE S. DEMILIO  
Deputy People's Counsel  
Old Courthouse, Room 47  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15<sup>th</sup> day of March, 1999, a copy of the foregoing Entry of Appearance was mailed to Legal Owners Kathy Stumpf Farace, 9750 Bird River Road, Baltimore, MD 21220, Petitioner(s).

Peter Max Zimmerman  
PETER MAX ZIMMERMAN



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
pdmlandacq@co.ba.md.us

August 18, 1998

Ms. Kathy Stumpf Farace  
Somethin' Special Florist and Decorator  
9750 Bird River Road  
Baltimore, MD 21220

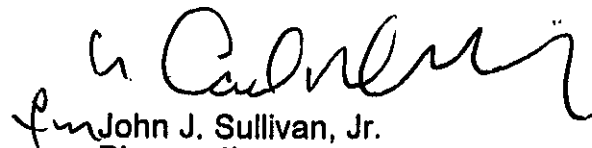
Dear Ms. Farace:

RE: 9750 Bird River Road, Building Permit Number B-344802, 15th Election District

Your letter to Arnold Jablon, Director of Permits and Development Management, dated August 10, 1998 was referred to me for reply. Yesterday, I received two revised building permit site plans and a cover letter addressed to Joseph C. Merrey of this office from Mr. George D. McClelland. I have forwarded these plans to Mr. Merrey. Per Mr. Merrey's conversations with your attorney, Newton Williams, a special hearing will be required for the proposed 30-foot by 40-foot (replacement) florist shop and part-time residence in this C.B. (Community Business) zone. Alternatively, if the residence doesn't exist at this address, additional commercial parking is required and a variance hearing would be required for a deficiency of parking spaces.

If you have any questions, you may contact Mr. Merrey or myself at 410-887-3391. I also suggest that you consult with Mr. Williams.

Very truly yours,

  
John J. Sullivan, Jr.  
Planner II  
Zoning Review

JJS:scj

c: Newton A. Williams, Esquire  
Joseph C. Merrey, Zoning Review

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)



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99-323-A

KATHY STUMPF FARACE  
(410) 687-2211



To: John S.  
8/12/98 ua  
9750 Bird River Road  
Baltimore, Md. 21220

August 10, 1998

RECEIVED AUG 13 1998  
JH

Arnold Jablon, Esq.  
Permits & Dev. Management  
County Office Bldg.  
Towson, MD 21204

RE: CB Property - 9750 Bird River Road  
Somethin' Special Florist

Dear Mr. Jablon,

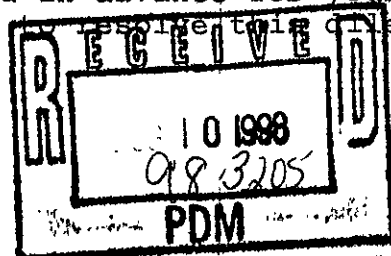
I am Kathy Stumpf Farace. I own the property located at 9750 Bird River Road, Baltimore, MD 21220. In 1988, with the help of my attorney, Newton Williams, we obtained BL zoning, which enabled me to operate my florist shop from this location. There has always been a residence adjacent and attached to the shop area. The residence is a two (2) story dwelling with a first level raised basement and a second level residence. The zoning is now CB, and we believe the raised living area meets the CB requirement for living quarters above the first floor.

We appreciate your understanding in this matter of allowing us to create a nicer display area in the shop portion for my customers. It would be detrimental to include the residential portion (sq. footage) with the shop portion when determining the parking spaces needed, as this area is not used for the business. In fact, during holidays and other busy times, I stay at the house.

Also, as is predominantly true of the majority of florists, 80% of our business is conducted over the phone, while only 20% of business is conducted where customers actually come into the shop. Very seldom do I have more than two (2) customers in the shop at one time.

If required to have more than 6 - 8 parking spaces, which is well beyond what is needed, it would cause more landscape and lawn to be destroyed for no meaningful purpose. I have always tried to keep the shop and residential grounds as natural and beautiful as possible. My residential neighbors appreciate these efforts.

Thank you in advance for your consideration and assistance in helping us resolve this dilemma.



(continued...)

Somethin' Special for Someone Special

KATHY STUMPF FARACE  
(410) 687-2211



9750 Bird River Road  
Baltimore, Md. 21220

Page 2 of 2

Please confirm that the raised living area complies with the CB requirement, and that only the commercial area as proposed to be enlarged requires commercial parking.

My check in the amount of \$40 is enclosed. Please do not hesitate to call me (410) 687-2211 or Mr. Williams (410)823-7800. Thank you.

Sincerely,

*Kathy Stumpf Farace*  
Kathy Stumpf Farace

cc: Mr. Joseph Merrey, PDM  
Mr. Newton Williams,

George D. McClelland  
25 Waterview Rd.  
Baltimore, MD. 21222  
Phone: 477-9136

*George D. McClelland*

RECEIVED AUG 17 1998

Date: August 9, 1998

TO: Development Processing  
County Office Building  
111 West Chesapeake Ave.  
Towson, MD 21204

RE: Building Permit B-344802-C

Attn.: Mr. Joseph C. Merrey, Planner II, Zoning Review

Attached please find 2 revised copies of the site plan for the above referenced project.

Following is a list of revisions to the site plan to concur with the checklist;

1. Increase driveway width to 20 feet, and pave with a durable ductless surface.
2. I met with Avery Hardin on Aug. 7, 1998 and reviewed the project with him, he noted on a copy of your letter that no landscaping is required.
3. Item 14. There are no entrances on adjacent properties or across the street, except for the entrance to the subject property on the west side noted as "private drive."
4. Item 15. A detail of the existing sign was added to the site plan.
5. Off street parking requirements.
  1. Dimension from parking to R/W on drawing, note indicating paving and striping of parking in parking data comments.
  2. No landscaping required as per Mr. Avery Hardin.
  3. No curbs are planned, because there are no curbs in the street, and placement of curbs in the parking lot will cause drainage problems.
  5. No illumination of off street parking is planned.
  6. Drive way width increased to 20' to comply with letter Dated July 1, 1998, as indicated above.
6. Revise wording on the existing building to remain to read as follows; 1<sup>st</sup> Level Basement, 2<sup>nd</sup> Level Residence.

Sincerely:  
George D. McClelland

CC: Kathy Stumpf  
James Lloyd

.....



March 1, 1999

To Whom It May Concern:

The Undersigned, Carl W. & Patricia Y. Stumpf, who are the landowners of the property adjoining Somethin' Special Florist, have had an opportunity to review the proposal to allow the 15' setback and parking variance in Case # 99-323-A.

We have no objection to these variances.

Carl W Stumpf 3/1/99  
Carl W. Stumpf

Patricia Y Stumpf 3/1/99  
Patricia Y. Stumpf

99.323-A

March 17, 1999

To Whom It May Concern:

The undersigned, neighbors of Somethin' Special Florist, have no objection to the variances, which would allow the 15' setback and parking variances in Case #99-323-A.

Jeri Ann Fisher - 9761 Bird River Rd

Louise H. Podrazik 9765 Bird River Rd.

Carol Ann Higgins 9763 Bird River Rd

Nancy L. O'Hell 9757 Bird River Rd.

Mark Prusak 9751 Bird River Rd

Reva Fleming 9753 Bird River Rd.

Susan O'Brien 9740 Bird River Rd

Chuck O'Brien 9740 Bird River Rd

John Anders 9740 Bird River Rd

Charles Craig 9700 Bird River Rd

Bruce Craig 9700 Bird River Rd - neighbor

Earl Carlisle 9803 Bird River Rd.

Shirley M. Volpe 9773 Bird River Rd

Cheryl L. Wiegler 9772 Bird River Rd

Leona K. Walters 9803 Bird River Road.

Douglas A. Wiegler 9772 Bird River Rd.

Ron B. Wieg 101204 Bird River Rd.

*Petitioners*

PLEASE PRINT CLEARLY

~~PROTESTANT(S)~~ SIGN-IN SHEET

NAME

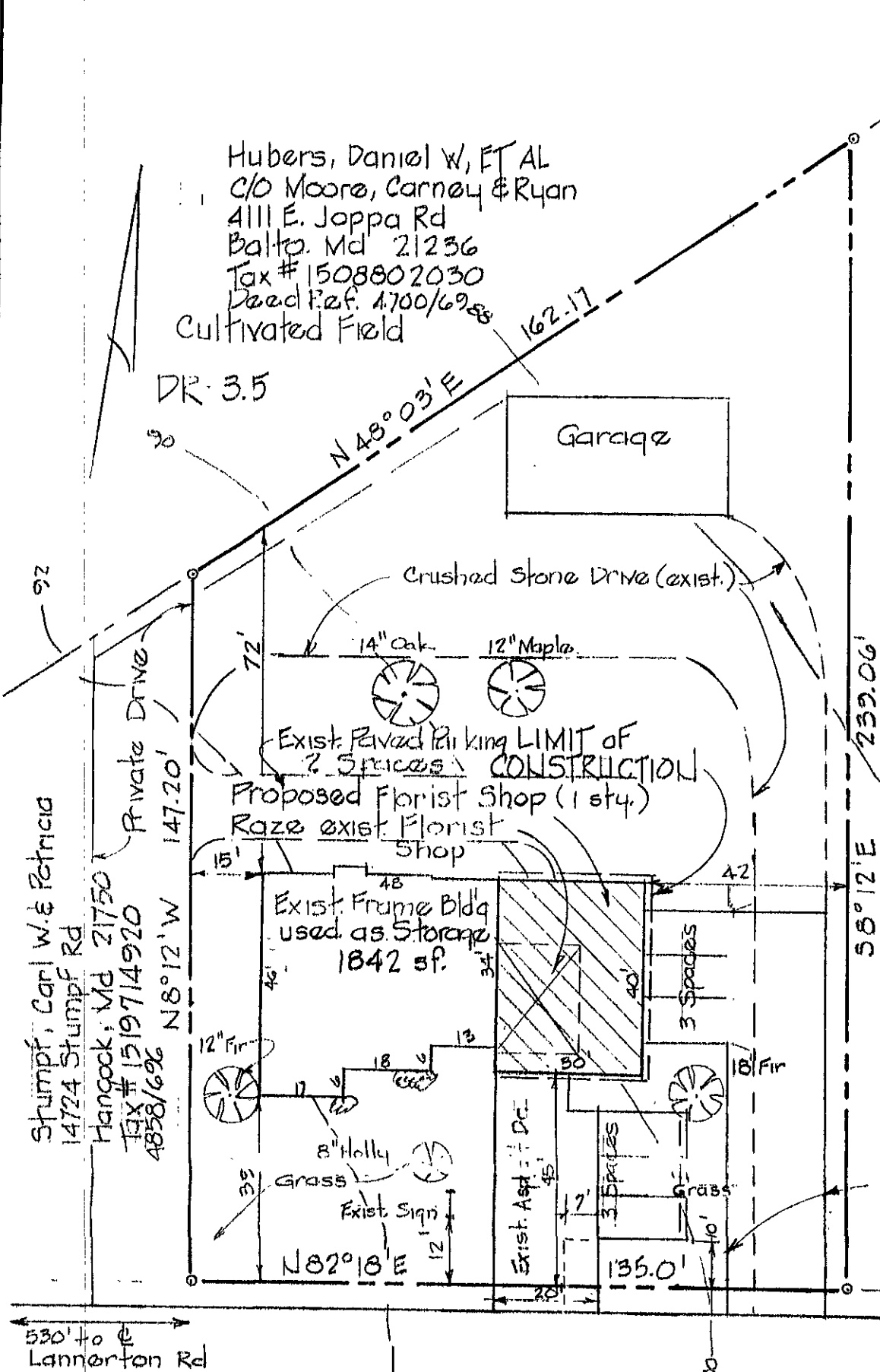
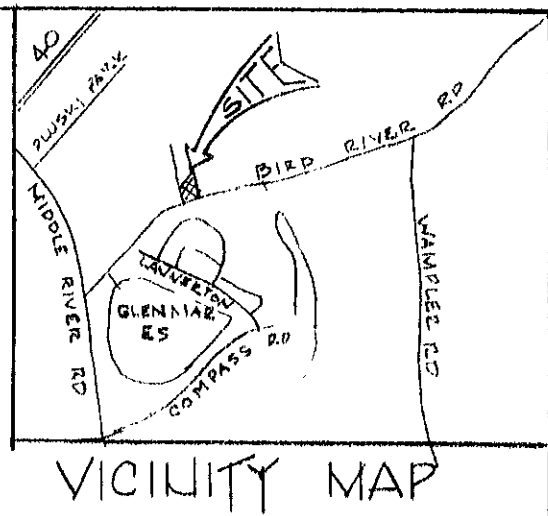
ADDRESS

*Kathy Stumpf Farace*  
*Donsky Builders*

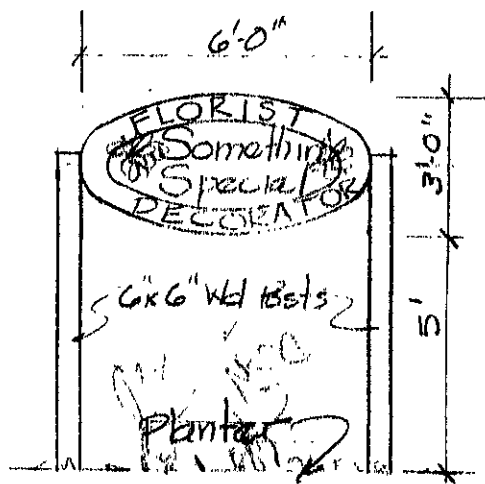
*703 Pheasant Dr. Forest Hill, MD*  
*3707A North PT Rd 21050*  
*Balto MD 21222*



Hubers, Daniel W, ET AL  
C/O Moore, Carney & Ryan  
4111 E. Joppa Rd  
Balt. Md 21236  
Tax # 1508802030  
Deed Ref. 4700/6988



ZONED CB



SIGN DETAIL  
1/4" = 1'-0"

Sign is Existing, double faced, illuminated w/ spot lights, setback 12' from R/W, 16 sq. ft. in size, constructed of sandblasted wood

Stumpf, Carl & Patricia  
14724 Stumpf Rd.  
Hancock, Md 21750  
Tax # 1700002389  
Deed Ref 5532/938

Agricultural

Proposed 20' wide drive  
Pave w/ durable, dustless surface (no curbs)

Gravel Shoulder

Owner:  
Kathy S. Farace  
Home Address: 703 Pheasant Dr.  
Forest Hill, MD 21050

BIRD RIVER ROAD 24' paving 40' R/W

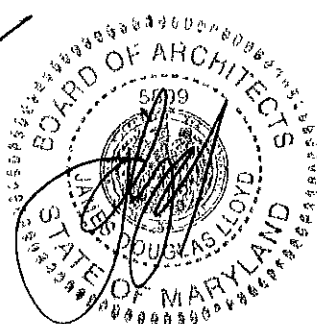
SITE PLAN  
Scale: 1" = 30'

CALCULATIONS

NET LOT AREA: 21,780.0 SF, 0.5 ACRES  
GROSS LOT AREA: 24,480 SF  
GROSS BUILDING AREA : 3042 SF  
FAR: 0.124  
REQUIRED PARKING 3042 sf @ 5/1000 = 16 SPACES  
PROPOSED PARKING - 8 SPACES 9'x18'  
Parking spaces shall be paved, striped, w/ conc. wheel stops anchored w/ 1/2" steel rods  
All buildings within 200' are shown  
No landscaping is required as per Avery Harden 8/1/98

PLAT TO ACCOMPANY  
VARIANCE & BUILDING PERMIT  
SOMETHIN' SPECIAL FLORIST  
9750 BIRD RIVER ROAD  
BALTIMORE, MARYLAND 21220  
15th ELECT. DIST. 5th COUNCIL. DIST.  
TAX# 1519710240 LIBER 8090, FOLIO 27  
OWNER: KATHY S. STUMPF  
9750 BIRD RIVER ROAD  
PROPOSED USE: EXISTING BUILDING AS STORAGE, NEW ADDITION AS FLORIST  
ZONING: CB 200 SCALE MAP NE 5H  
Public water & sewer exist. on site  
Previous com'l. permits, zoning hearings, C.R.G., waivers: Add. .5 Ac. CB 10-17-1996  
A7 Exempt. DRC# 12157C 1/2/98  
DATE: Nov. 3, 1998 APL. None Req'd  
JAMES LLOYD Architects PA.  
12935 Byefield Dr. Highland MD 20777  
410-531-1177 by: g dms

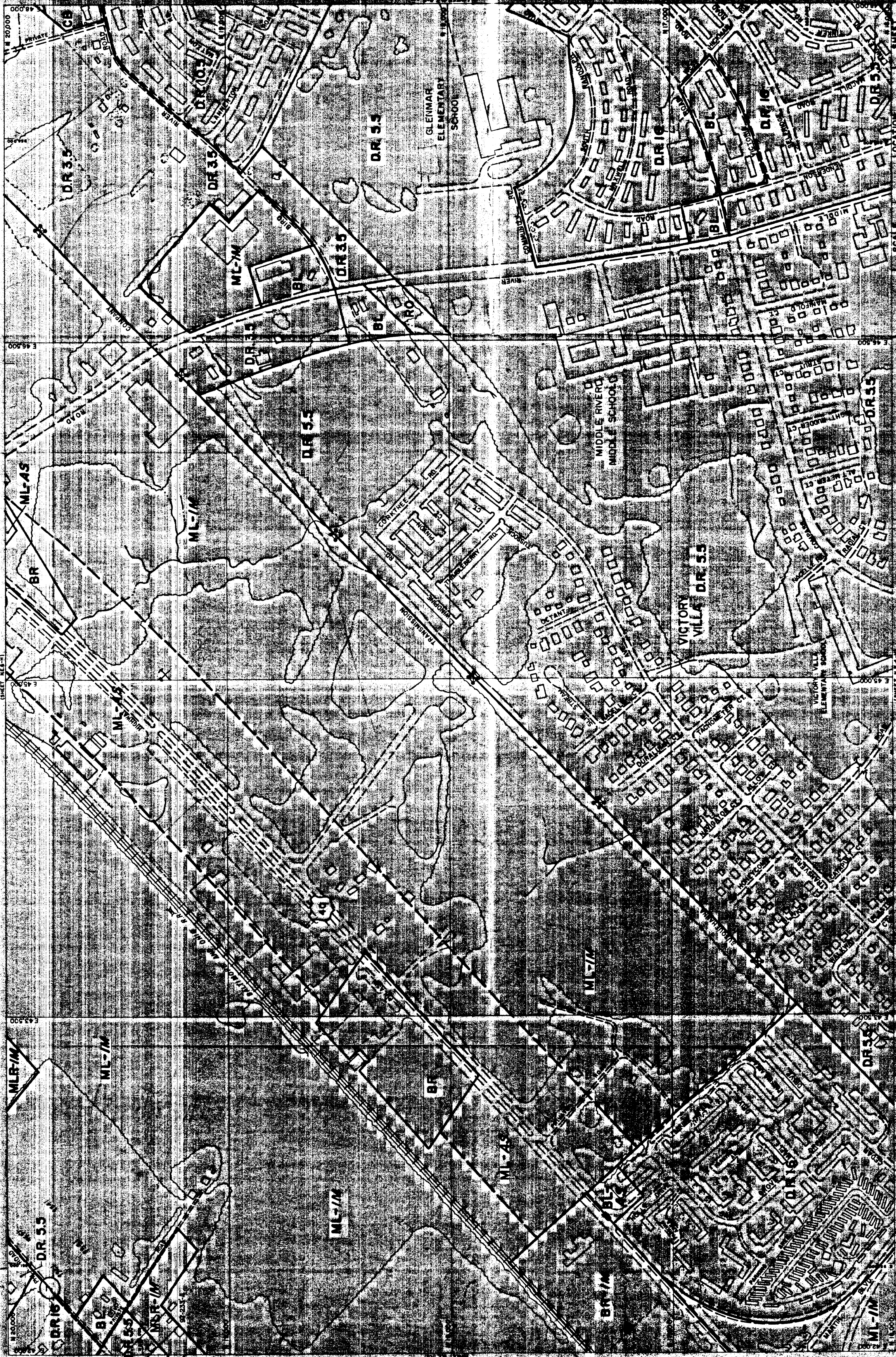
323 Pet. No 1



99-323-A

SI





**BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
OFFICIAL ZONING MAP**

1994 COMPREHENSIVE ZONING MAP  
ADOPTED  
THE BALTIMORE COUNTY ESTIMATES  
AND THE 1994 ZONING MAP  
BY KENN KAPLAN  
BALTIMORE COUNTY COMMISSIONER

THIS MAP HAS BEEN REVISED IN SELECTED AREAS  
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHOD  
BY BUCHART-HORN, INC. BALTIMORE, MD 21216

SCALE 1" = 200'	LOCATION SHEET 99-323-A
DATE OF PHOTOGRAPHY JANUARY 1986	POSTCARD